

§ 254.41 Public sale or exchange in absence of application.

(a) Mineral survey fractions or road rights-of-way which have not been applied for by an abutting landowner may be offered to the public for sale or exchange at not less than fair market value.

(b) Public notice of a proposed sale of land for which there is no applicant shall be published once a week for four consecutive weeks in a local newspaper prior to the date of sale.

(c) The public notice shall describe the lands to be sold, minimum acceptable price, conditions of sale, sealed or oral bid procedures, date and location of sale.

§ 254.42 Valuation of tracts.

(a) Approximately equal value shall be determined by comparing and evaluating the elements of value on the lands or in lands to be interchanged. Elements of value to be considered include size, shape, location, physical attributes, functional utility, proximity of other similar sites, and amenities in the immediate environs of the parcel. Findings that tracts are approximately equal in value shall be documented. An applicant must signify acceptance of the value determination by signing the documented findings prior to the interchange.

(b) Equal value in sale or exchange transactions shall be developed by recognized appraisal methods following Forest Service appraisal procedures and the Uniform Appraisal Standards for Federal Land Acquisition. The date of the value estimate will be current with the date of sale or exchange.

(c) Improvements to National Forest System land made by any persons other than the Government may be excluded from the property value determinations.

§ 254.43 Surveys.

All necessary tract surveys of National Forest System land shall be conducted by a licensed private surveyor under Forest Service instructions, contracted by the person applying for the conveyance, or by a Forest Service surveyor. The person will also be required to have all Federal property boundaries

resulting from a conveyance marked and posted to Forest Service standards.

§ 254.44 Document of conveyance.

(a) Title to the United States may be conveyed by quitclaim or warranty deed. The United States will convey title only by quitclaim deed.

(b) Deeds shall be free of terms, conditions, and covenants except those deemed necessary to ensure protection of the public interest.

(c) A copy of all documents of conveyance will be transmitted after recordation, where applicable, to the appropriate State Office of the Bureau of Land Management.

PART 261—PROHIBITIONS**Subpart A—General Prohibitions****Sec.****261.1 Scope.**

261.1a Special use authorizations, contracts and operating plans.

261.1b Penalty.**261.2 Definitions.**

261.3 Interfering with a Forest Officer, volunteer, or human resource program enrollee or giving false report to a Forest Officer.

261.4 Disorderly conduct.

261.5 Fire.

261.6 Timber and other forest products.

261.7 Livestock.

261.8 Fish and wildlife.

261.9 Property.

261.10 Occupancy and use.

261.11 Sanitation.

261.12 National Forest System roads and trails.

261.13 Use of vehicles off roads.

261.14 Developed recreation sites.

261.15 Admission, recreation use and special recreation permit fees.

261.16 National Forest Wilderness.

261.17 Boundary Waters Canoe Area Wilderness.

261.18 Pacific Crest National Scenic Trail.

261.19 National Forest primitive areas.

261.20 Unauthorized use of "Smokey Bear" and "Woodsy Owl" symbol.

261.21 Wild free-roaming horses and burros.

Subpart B—Prohibitions in Areas Designated by Order

261.50 Orders.

261.51 Posting.

261.52 Fire.

261.53 Special closures.

261.54 Forest development roads.

261.55 Forest development trails.